

---

The original instrument was prepared by Cheryl Horne. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

---

## DIGEST

Broome (SB 170)

Proposed law authorizes a covered person to request that a health insurance issuer provide in-network benefits for health care services rendered to a covered person by a health care provider in another state, subject to the terms of the benefit plan in which the covered person is enrolled when all of the following conditions are met:

- (1) The covered person has been diagnosed or is being treated for a terminal or life-threatening illness or condition and requests coverage for services of a health care provider in another state.
- (2) The health care provider in another state agrees to accept a health insurance issuer's network contracted reimbursement rate or other rate negotiated with the health insurance issuer.
- (3) The health care provider agrees to other standard network provider terms and conditions.

Proposed law requires that for every medical procedure covered by a health care issuer ordered in non-emergency cases, the participating provider is to inform the covered person, in writing and acknowledged by the covered person in writing, of the covered person's right to request that all covered health care services be rendered by participating providers. Provides that the notice be on a single and separate form entitled "INSURED'S RIGHT TO REQUEST CONTRACTED PROVIDERS ONLY" and that it contain specific language contained in proposed law as to their right to request services by a network provider and that if they choose an out-of-network provider, that they will be financially liable for the entire amount billed by the out-of-network provider or any portion not paid by their health insurance issuer.

Proposed law provides that if the notice required in proposed law is not provided to the insured, then the out-of-network provider may only collect from the health insurance issuer an amount equal to the contracted reimbursement rate for network providers.

Effective August 15, 2009.

(Adds R.S. 22:1255.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill.

1. Rewrites bill to limit application to providing coverage to an insured suffering from a terminal or life-threatening illness or condition.